



**Senate Bill 259**  
**An Act Concerning Inspections by Fire Marshals and Fire Inspectors**

**Testimony of Commissioner Melody A. Currey**

**Housing Committee**  
**March 1, 2016**

The Department of Administrative Services (DAS) houses the Office of the State Fire Marshal and the Office of the State Building Inspector, which are responsible for State Fire Safety Code, State Fire Prevention Code, the State Building Code and other code-related matters. DAS offers the following comments on Senate Bill 259, "An Act Concerning Inspections by Fire Marshals."

C.G.A. § 29-298(d) establishes the circumstances under which a local fire marshal may delegate authority to deputy fire marshals, fire inspectors or other inspectors or investigators acting under the direction and supervision of the local fire marshal to issue permits or orders or to certify compliance with the Code. Fire marshals, deputy fire marshals, fire inspectors and investigators are all required to receive continuing education in order to assure that they have the training essential to perform their duties.

C.G.A. § 29-305 requires local fire marshals or their designees to conduct inspections on buildings and facilities regulated by the Fire Safety Code. Senate Bill 259 proposes amending this statute to "permit the cross-deputization of certain nonexperts to conduct routine fire inspections." As written, the meaning and scope of "cross-deputization" and "certain nonexperts" are unclear. Specifically, who are the "nonexperts" contemplated in this bill? Are they the deputy fire marshals, inspectors and investigators covered by C.G.S. § 29-298? If not, what training and expertise would such "nonexperts" possess? DAS and the State Fire Marshal do not support inspections being conducted by anyone who does not hold a fire marshal certification from the state of Connecticut.

DAS also questions who would bear the liability associated with the actions of such non-experts. C.G.A. § 29-298(c) provides that fire marshals, deputy fire marshals, fire inspectors and investigators shall not be personally liable for damages that may result from the discharge of their official duties. Would such non-experts also be protected from liability?

Given the ambiguity of this language and the related questions about training and liability, DAS cannot support Senate Bill 259 as written. Thank you for allowing DAS to comment on this bill.